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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

TK POWER, INC.,

No. C-04-5098 EMC

Plaintiff,

v.

VERDICT FORM

TEXTRON, INC.,

Defendant.

1 **I. BREACH OF CONTRACT**

2 On TK Power's claim for breach of contract, select one of the two options:

3
4 _____ We find in favor of TK Power and against Textron/E-Z-GO.

5
6 _____ We find in favor of Textron/E-Z-GO and against TK Power.

7
8 If you find in favor of TK Power on this claim, answer the following:

9 We award TK Power the following damages: \$ _____.

10
11 Please go on to the next section, Section II - Negligent Misrepresentation.

II. NEGLIGENT MISREPRESENTATION

On TK Power's claim for negligent misrepresentation, select one of the two options:

_____ We find in favor of TK Power and against Textron/E-Z-GO.

_____ We find in favor of Textron/E-Z-GO and against TK Power.

If you find in favor of TK Power on this claim, answer the following:

We award TK Power the following damages: \$ _____.

Please go on to the next section, Section III - False Promise.

III. FALSE PROMISE

On TK Power's claim for false promise, select one of the two options:

_____ We find in favor of TK Power and against Textron/E-Z-GO.

_____ We find in favor of Textron/E-Z-GO and against TK Power.

If you find in favor of TK Power on this claim, answer the following:

We award TK Power the following damages: \$ _____.

If you find in favor of TK Power on the claim for false promise, also answer the following two questions:

1. Did Textron/E-Z-GO engage in the conduct with malice, oppression or fraud?

_____ Yes _____ No

2. Was the conduct constituting malice, oppression, or fraud committed by one or more officers, directors, or managing agents of Textron/E-Z-GO acting in a corporate capacity?

_____ Yes _____ No

Signed:

Presiding Juror

Dated: _____

After all sections have been completed, deliver this verdict form to Judge Chen.